IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 3587 of 2001

with

CRIMINAL MISC.APPLICATION No 3315 of 2001
with
Criminal Misc. Application No.3514 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE M.H.KADRI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SUNITA A JAIN

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 3587 of 2001
MR RC JANI for Petitioners No. 1-10
Mr. M.A. Patel, APP for Respondent No. 1
MR RS SANJANWALA for Respondent No. 2

2. Criminal Misc.Application No. 3315 of 2001
MR RC JANI for Petitioner No. 1
Mr. M.A. Patel, APP for Respondent No. 1

CORAM : MR.JUSTICE M.H.KADRI

Date of decision: 18/10/2001

COMMON ORAL JUDGEMENT

1. Rule. Learned APP, Mr. M.A. Patel, waives service of Rule on behalf of respondent No.1 and learned advocate Mr. R.S. Sanjanwala waives service of Rule on behalf of respondent No.2 (original complainant) in Misc. Criminal Applications Nos.3315 of 2001 and 3584 of 2001. At the request of learned advocates appearing for the parties, these applications are taken up for hearing today.

2. The respondent No.2 had filed Criminal Case No.61 of 2001 {M.Case No.12 of 2001 registered at Bhavnagar "A" Division Police Station) for the offences punishable under Sections 406, 409, 420, 465, 467, 468 and 120-B of the Indian Penal Code, in the Court of the learned Chief Judicial Magistrate, Bhavnagar, wherein, the learned Magistrate issued process against the petitioners pursuant to the aforesaid complaint by orders dated April 12, 2001 and April 13, 2001 below Exh.1 and 3.

3. The petitioners, by way of filing Misc. Criminal Applications Nos.3315 of 2001 and 3587 of 2001, under Section 482 of the Code of Criminal Procedure ('Code' for short), have prayed to quash aforesaid complaint and the process issued by the Court.

4. The learned advocates appearing for the petitioners and respondent No.2, have stated at the Bar that the petitioners and the respondent No.2 have amicably settled all grievances, disputes, differences and claims, between the complainant and all the accused who are concerned with M/s. S.V.S. Steel Industries and M/s. Liberty Steel which are subject matter of the above complaint during the pendency of these applications and they have prayed that the complaint may be quashed.

5. Having heard the learned advocates for the parties, and, as the dispute involved in these applications is amicably settled between the parties, Misc. Criminal Applications Nos.3315 of 2001 and 3587 of 2001 are allowed. Criminal Case No.61 of 2001 {M.Case No.12 of 2001 registered at Bhavanagar "A" Division Police Station) for the offences punishable under Sections 406, 409, 420, 465, 467, 468 and 120-B of the

Indian Penal Code, pending in the Court of the learned Chief Judicial Magistrate, Bhavnagar, and the process issued by the learned Magistrate against the petitioners pursuant to the aforesaid complaint by orders dated April 12, 2001 and April 13, 2001 below Exh.1 and 3. are quas

6. Misc. Criminal Application No.3514 of 2001 filed by respondent No.2 for vacating ad-interim relief, does not survive and stands disposed of accordingly.

October 18, 2001 (M.H. Kadri, J.)
(swamy)
[Note: Paragraph 4 above is amended as per the common oral order dated November 2, 2001 passed below the note for speaking to minutes]